

3. The instruction from the NAPC also follows a breakdown in the attorney-client relationship which makes it impossible for Counsel to continue their representation of the client and to adequately prepare for and defend the client at the trial.

4. This Motion to Withdraw is only with regard to Counsel's representation of NAPC. Counsel continues to represent Matrix in this matter.

4. No trial date has been set.

5. The other parties have provided their assent to this Motion.

II. LEGAL STANDARD

In this Court, "The attorney of record may not withdraw . . . without first obtaining leave of court." Local Rule 83.17 Moreover, the Illinois Rules of Professional Conduct require counsel to withdraw from the representation of a client if the attorney is discharged. ("Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if: . . . (3) the lawyer is discharged"). Ill. R. Prof. Conduct 1.16(a)(3).¹

III. ARGUMENT

Good cause exists for this Court to permit Counsel to withdraw their appearances. Because confidentiality obligations prevent Counsel from providing substantive factual support for this Motion at present, Counsel represents simply that they have been informed the termination of NAPC's corporate existence, and prior to its termination, NAPC instructed counsel to withdraw. Counsel also represents that due to this termination, there has been a breakdown in the attorney-client relationship which makes it impossible for counsel to continue its representation of NAPC and to adequately prepare for and defend its client at the trial.

¹ Paragraph (c) requires a lawyer to obtain a tribunal's permission before withdrawing if so required by the tribunal. Ill. R. Prof. Conduct 1.16(c). Counsel files this motion for the purpose of seeking this Court's permission.

Furthermore, counsel has been advised that NAPC will be ceasing business operations and dissolving. NAPC is aware that prior to any dissolution, it must retain new counsel to continue litigating its defense in this case.

IV. CONCLUSION

WHEREFORE, Counsel request that this Court grant their Motion to Withdraw as Counsel for National Auto Protection Corp, strike their respective appearances, and for such further relief as this Court deems necessary.

NATIONAL AUTO PROTECTION CORP.

and

MATRIX FINANCIAL SERVICES, LLC

By Counsel

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CERTIFICATE OF SERVICE

I certify that on this ____ day of October, 2019, I caused a copy of the foregoing document to be served via ECF on all parties entitled to be receive notice.

/s/ Mitchell N. Roth
Mitchell N. Roth